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COL. FELDER RIDICULES IDEA OF GRAND JURY INVESTIGATION OF CITY DETECTIVES' CHARGES

Declares Chief Beavers Is Only Bluffing, and That if All the

Allegations Made by the Police Were True, It Wouldn't

Be a Case for the Grand Jury, as He Has Violated No Law

in Seeking Evidence of Corruption In Police Department

CHIEF BEAVERS CONFERS WITH SOLICITOR DORSEY

IN REFERENCES TO LAYING WHOLE MATTER BEFORE JURY

He Expects the Solicitor's Co-operation — James Conley Is

Identified by Mrs. Arthur White as the Negro She Saw

Lurking Near the Elevator of the Pencil Factory on Day of

the Tragedy—"This Is H— of a Family Row and No

Place for a Stranger," Says Tobie

Colonel Thomas B. Felder Tuesday ridiculed the statement of Police Chief James L. Beavers that he would insist upon the grand jury making a searching investigation of the charges against Colonel Felder and also the countercharges published by the latter against the police and detective departments.

Colonel Felder appeared to be very much amused while discussing Chief Beavers' declaration, which he branded as bluff and bluster. "I don't believe Beavers has the least idea of going before the grand jury," he said, "but even should he do so there is nothing for the grand jury to consider.

"If all the charges which the police and detectives have made against me were true no law has been violated. I have a perfect right to seek truthful evidence from whatever source I may choose.

"If the grand jury cares to investigate my charges against the police and detective departments I will have no hesitancy in supplying it with a list of the disorderly houses and gambling places which are operated in Atlanta without police interference, and an amazingly long list it will be, too.

"Why, there are more houses of an immoral character in the territory between the Baptist Tabernacle and the governor's mansion than ever existed in the old segregated district, and places of this kind are scattered throughout the city, no section being immune from them.

Colonel Felder was disinclined to give out any extended statement Tuesday, but admitted that he was gathering material which might later form the basis of a sensational expose.

CHIEF CONFERS WITH THE SOLICITOR.

Chief Beavers Tuesday reiterated his determination to take the entire controversy before the grand jury. He conferred with Solicitor General H. M. Dorsey during the morning and requested the solicitor to aid him in submitting the matter to the grand jury.

Solicitor Dorsey stated that he was very busy in the superior court with other cases and would be engaged all this week, but that on next Monday, or any time thereafter, he would be in a position to go into the case with the chief.

Following his conference with the solicitor Chief Beavers expressed the opinion that Mr. Dorsey would lend him every assistance in getting both the charges against Colonel Felder and those made by him against the police and detective departments before the grand jury.

When the grand jury adjourned last Saturday it was not to meet this week unless specially called by the solicitor. Foreman L. H. Beck reiterated his statement of Monday that he has not called a special meeting of the grand jury and at present has no intention of doing so.

It is said that, unless warrants are drawn and some one committed to the grand jury, Solicitor Dorsey will not himself take the initiative in starting a probe. It is within the province of the grand jury members themselves, however, to hear the testimony of whom they please and when they please.

Neither Chief Beavers nor Chief Lanford shows any disposition to permit [t]he matter to drop without an investigation and their efforts to institute a grand jury probe will probably be continued until there is some action.

BURNS MAN HAS WITHDRAWN.

It became known Monday evening that the Burns' detective had withdrawn from a further investigation of the Phagan case. C. W. Tobie, the Burns' man who has been here for two weeks, announced that he "came down here to investigate a murder case, not to engage in a petty political row." "This is a h— of a family row and no place for a stranger," he is quoted as saying.

Mr. Tobie intimated that he Burns detectives might continue a secret investigation of the Phagan case but that he would leave either Tuesday or Wednesday for Chicago.

Tuesday morning Carl Hutcheson, a young lawyer connected with Colonel Felder's law firm, addressed an open letter to Police Chief Beavers and Detective Chief Lanford in which he accuses them of permitting disorderly houses to operate on Ivy, Spring, Pryor and other streets.

Neither of the chiefs saw fit to make a detailed reply to Mr. Hutcheson. Chief Beavers remarked that Mr. Hutcheson "was but a small cog in the gang machine and that he did not care to dignify him with notice." Chief Lanford said: "I am too busily engaged with important matters to give time to a controversy with small fry like Mr. Hutcheson. If he has evidence that disorderly houses are operating in Atlanta he should submit it to the chief of police or to me. His complaints would receive the same careful attention as those of any other citizen."

JAMES CONLEY IS IDENTIFIED.

It was announced Tuesday morning by the city detectives that Mrs. Arthur White, wife of a machinist at the National Pencil factory, had identified James Conley, the negro sweeper, as closely resembling the strange negro she saw lurking near the

elevator in the factory shortly after noon of Saturday, April 26, the day of the Phagan murder.

Conley is the negro who swears that on Friday, April 25, "he wrote two notes at the dictation of Superintendent Leo M. Frank, and that the notes he wrote were very similar to those published as having been found by the dead girl's body.

Mrs. White, who it is admitted by several witnesses, including Frank himself, visited her husband on the third floor of the factory, between 12 noon and 1 p. m. on Saturday, April 26, has consistently maintained that while ascending the factory stairs she noticed a negro man standing near the elevator. No other witness, not even Frank, who was in the office on the same floor as that where the negro was alleged to have been, has stated that a negro was in the factory at the hour named.

At first it was thought that Mrs. White must have been mistaken. However, since Conley confessed to writing the notes the detectives have laid more stress on Mrs. White's testimony. According to the detectives Mrs. White has picked Conley from a dozen other negroes and declared she believes him to be the negro she saw near the elevator.

BELIEVE HE WROTE NOTES SATURDAY.

This leads the detectives to believe that if Conley wrote the notes which he says he wrote that he must have written them on Saturday instead of Friday. The negro, however, sticks to his story that he wrote the notes on Friday about 1 o'clock.

According to the several times corroborated testimony at the coroner's inquest Arthur White and another machinist named Denham were at work on the third floor of the pencil factory April 26. Some time between 12 and 1 o'clock Mrs. White called to see her husband and about 1 o'clock Frank came up and announced that he was going to lunch and would lock the door; that if Mrs. White wished to get out she had better do so then. Mrs. White left the factory ahead of the superintendent.

White and Denham continued their work until after Frank returned from lunch, about 3 o'clock, when they, too, left the factory.

"HELL OF A ROW," SAYS TOBIE.

"This is a h— of a family row, and no place for a stranger," says C. W. Tobie, of Chicago, criminal investigator for the Burns agency, who is "chucking up" the job of getting more conclusive evidence against the murderer of Mary Phagan, who Tobie says he believes is Leo M. Frank, who has been indicted for the crime.

Tobie, who has not yet left the city, intimates that probably Burns operators will take up the case if certain evidence, which he believes to be in existence, is not produced. Should the Burns people take up again or continue the work, he says, their investigation will be a secret one, not an open probe such as he has conducted.

"I came down here," says Tobie, disgustedly, "to investigate a murder case, not to engage in a petty political row. All of this stuff seems to have been brewing some time, and it has just now come to the surface.

"From the very first it has been repeatedly said that I was here to get further graft charges against the city police and detectives, and there has always been an undercurrent of sentiment against me and my work.

CALLED IN TOO LATE.

"In the first place, I was called in too late for the sort of a job it is. When I first heard of the Mary Phagan murder and was called on the job I thought it was a fresh case.

"I came here twenty-three days late, and I found that the thing was being worked from many different angles and that many of the witnesses had been interviewed by the solicitor's men, the

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FELDER RIDICULES IDEA OF PROBE BY GRAND JURY

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Pinkerton man, the city detectives and many newspaper reporters. Of course they were tired of talking about the case, and I hesitated at asking them to tell their stories again, simply for the benefit of the Burns people.

"I didn't stop at that, but now that the Mary Phagan murder is almost forgotten in a bitter political row in which every man is trying to cut his neighbor's throat, I have to call the deal off.

"I have never tried to get anything against the city detectives or police, and I have never been even requested to make any sort of an investigation for them, but still that seems to be what everybody thinks I am here for.

WORK NOT BLOCKED.

"Despite reports I have never found myself blocked by the city detectives. It is true that the people have gotten tired of

telling their same stories over and over again, and that is all of the trouble I have experienced."

Tobie first announced his intention of quitting the investigation to Solicitor General H. M. Dorsey Monday evening. He determined to drop the probe last Friday afternoon, when The Journal's exclusive story told of charges of attempted bribery lodged against his employer Colonel Thomas B. Felder, by the city detectives.

Tobie says that the presence here Monday of Dan P. Lehon, superintendent of the Burns southern office, had nothing to do with his decision to quit the case. He says that he simply notified Mr. Lehon of his decision as a matter of courtesy.

"If I did continue the work on the Phagan matter I would get credit for trying to expose the city detectives, and that I am not doing," says Tobie.

MAY MAKE SECRET PROBE.

While he says that he is convinced that Frank is the murderer, Tobie says that the evidence is [sic] the hands of the public is not conclusive, and that Burns men will make a secret probe if "certain features" do not develop at the proper time.

Tobie declares that the confession of James Conley, the negro sweeper, that he wrote the notes for Leo M. Frank, is a bad feature of the case.

"Conley says he wrote the notes Friday," Tobie remarked, "yet I can't believe that the crime was premeditated. If he had said Saturday, it would have been different. His story puts a new angle on the matter."

Tobie is bitter over efforts to blacken his character and arraigns his former employers the Pinkerton Detective agency.

DENIES KIDNAPING CHARGE.

Relative to his alleged attempt to kidnap the incubator baby in Sedan, Kan., Tobie says that he was working under the

Pinkertons, who simply located the baby for a woman from whom it had been kidnaped.

In the matter he says he knew only the head of the Kansas City Pinkerton agency. When located the baby he wired the official, who told him to await the arrival of parties with a letter of introduction. These parties, a lady and a gentleman, arrived and presented the letter. He then dropped the case, he says, after telling them where the child was. Subsequently, they attempted to kidnap the baby, he says, and were caught.

The Pinkertons, he said, "try to blacken the character of every man who quits them, and that is what they have done to me."

An interesting feature of the Phagan case Tuesday morning was a visit to police headquarters of Newt Lee's real wife, from whom he has been separated for more than five years. This is the first time she has attempted to communicate with the negro, although the woman with whom he boards and who was said to be his wife, has repeatedly visited police headquarters.

The negro's wife, after conferring with the detectives, went to the tower with Detective Starnes, promising to assist the police in getting the truth out of her husband.

COLONEL FELDER SILENT.

Colonel Thomas B. Felder Tuesday morning had no comment to make upon the action of the Burns detectives in severing their connection with the Phagan murder case investigation.

"I have nothing whatever to say," remarked Colonel Felder in reply to question from a Journal representative.

"Will you issue any statement during the day?" he was asked.

"I don't know. I will have a conference with my friends and decide that later," said he.

NEWT LEE STICKS TO HIS ORIGINAL STORY

Attorney Bernard L. Chappell, counsel for Newt Lee, the negro night watchman of the National Pencil factory, who is held under direction of the coroner's jury in connection with the murder of Mary Phagan, Tuesday morning requested the jailers at the Tower not to permit any one to see his client unless he was present.

The attorney fears that some one might make a false affidavit as to what the negro said. He declares that he has never himself conferred with Lee unless one of the jailors was present.

Lee has never varied from the story he told to the coroner's jury. He still maintains that he knows nothing of the murder beyond the fact that he discovered the Phagan child's body in the pencil factory basement about 3 o'clock Monday morning, April 27, and that he immediately notified the police.

The negro also reiterates his statement that Superintendent Leo M. Frank sent him away from the factory when he called there about 4 o'clock Saturday afternoon, April 26. He says he cannot understand why the superintendent seemed so anxious for him to go away.

FACTORY GIRLS HOPE MURDERER IS PUNISHED

One of the young ladies employed at the National Pencil factory, where Mary Phagan met her death, who does not wish her name used, has addressed the following letter to the editor of The Journal:

"Nothing has ever been said of the girls of the pencil factory until after the terrible murder, but since then there has been one continuous talk, just as if we were to blame. We are just as anxious to see the guilty punished as the rest of the public, and we all loved Mary Phagan just as much as we possibly could.

"If the public only would interest itself to look into other factories and stores they would find the girls in the pencil factory are just as good as any other working girls.

"It looks mighty hard that we have to work in the place where our little friend was so horribly murdered. But we are only poor working girls, trying to make an honest living, and we try not to think of the tragedy any more than possible, and we have the interest of the factory too much at heart to desert in times of trouble.

"We all hope and pray the guilty will be punished and the innocent given freedom, for we all think our superintendent has a soul himself and that he would not think of such a thing; much less commit such a horrible crime."

GHEESLING CORRECTS STORY OF TESTIMONY

W. H. Gheesling, with the Bloomfield undertaking company, wishes to correct the statement published in The Journal that he said before the grand jury that in his opinion Mary Phagan was assaulted before she was murdered.

"The grand jury, knowing that I was not an expert and not qualified to talk on the subject," said Mr. Gheesling, "did not ask me if the little girl had been assaulted, and I expressed no opinion during the course of my examination by the jury."

CARL HUTCHESON ISSUES OPEN LETTER TO CHIEFS

Carl Hutcheson, a young attorney associated with the firm of Anderson, Whitman & Dillon, has written the following open letter to Chief of Police James L. Beavers and Chief of Detectives N. A. Lanford, accusing them of permitting disorderly houses to operate on a number of streets in the city: J. L. Beavers, Chief of Police, Atlanta: Newport Lanford, Chief of Detectives, Atlanta:

In your great crusade against Sodom and Gomorrah with your immaculate robes of Puritanism,

I accuse you in all your glory with allowing certain houses on Ivy street, the business of which is to barter in immoral and indecent practices, to continue in flagrant operation. And you know it. If you do not, every sensible citizen of this city, who knows anything of the world, does. If you do not know these

things, it is your duty to know, and you should be discharged from your high pedestals for dereliction.

I accuse you of allowing similar houses to operate on certain parts of Spring street. And you know it. If you do not you should be removed from office for dereliction of duty.

I accuse you of allowing similar houses to operate in a certain section of Pryor street. And you know it. If you do not, you should be removed from office for dereliction of duty.

I accuse you of allowing similar houses to operate on a certain section of Central avenue. And you know it. If you do not, you should be removed from office for dereliction of duty.

ALLEGES GAMBLING PLACE.

I accuse you of failing to take cognizance of a certain house in Ivy street, to which I called your attention several weeks ago, where young men were inveigled to gamble away their money, the mistress thereof being the banker and the recipient of these ill-gotten gains. And you know it, and should be removed from office for dereliction of duty.

I accuse you and numbers of your forces with being cognizant of these facts, and yet you, the great crusade leader, stand idly by and fold your lordly hands.

I accuse you with allowing, even yet, low class hotels in this city to exist and practice their nefarious games of lowly gain. And you know it, and should be removed from office for dereliction of duty.

If you cannot "turn up" these places, there are hundreds of people who can. I can use infantile detective work and turn up dozens of them within a few days, and you know this can be done. And, if you fail to get busy and continue to parade your great genius you should be removed from office for dereliction of duty.

CHARGES POLICE PROTECTION.

I accuse you with protecting these places because of your lax methods in keeping "the houses within our midst" closed, and you know it, and should b[e] removed from office for dereliction of duty.

I accuse you of closing Manhattan avenue and converting our entire municipality into a "red light" district. And you know it, and unless you change conditions at once you should be removed from office for dereliction of duty.

I accuse you of retaining on your force men unfit to protect the "decent" citizens of Atlanta, and you know it, and should be removed from office for dereliction of duty.

I accuse you of knowing where numbers of houses which exist by immoral practices are located and you know it, and you should be removed from office for dereliction of duty.

Do you think that the public will be hoodwinked forever? Do you know that the public is so gullible as to believe all of this "bush-wah" about the great work that you are continuing? Yes, you closed Manhattan avenue, but what did you do for the remainder of the city?

You and your bunch are very sore because you were unable to ferret out the Phagan murder, and you know it. When the solicitor general called in outside aid, numbers of your hirelings were very much perturbed and became insanely jealous. That is why all of this hatched-up bunch of lies and slanders have been issued against Thomas B. Felder, whose shoes you are unworthy to untie, and you know it.

I ac[c]use you of retaining a large number of leather-heads for detectives. Detectives? That is a joke, isn't it? And you know it, and you should be removed from office for allowing such an army of incompetents to work with your departments. You know, and I know, that these fellows secure their offices through political pull and not through efficiency. They are Sherlock Holmeses when it comes to arresting blind tigers and negro crap players, but beyond that they would not know a clew if they saw it tagged.

In the Phagan case, the newspaper men are the ones who turned up the first clews of any merit, and you know it, and should be ashamed of that crowd down there to allow the members of the Fourth Estate to put one over on you; but you know newspaper men have brains, and brains are required to make detectives.

Now, volley forth again your promulgation of purity and tell the people of this great city what large men you are and how you protect the citizenry of this great commonwealth.

If you haven't the addresses of the houses to which I refer, call at my offices within three days and I will give you a bunch of them.

Friends of mine have advised me against printing this card. Some have feared for my life—but afraid of you and your crowd? Never. I am not afraid of anything that lays down its firearms and comes at me like a man in fair play. Now, "lay on, MacDuff, and damn'd be him who first cries, ‘Hold: Enough!'"

CARL HUTCHESON.

"HE'S A LITTLE COG IN GANG MACHINE," SAYS CHIEF

"Small fry shooting bird shot," smiled Chief of Police James L. Beavers when told Tuesday morning of the open letter of Carl Hutcheson attacking him, and charging that he knowingly allowed disreputable houses to operate in certain sections of the city.

"Hutcheson is just a little cog in the gang machine, trying to divert attention from the real issue and is not worth answering," the police official said.

Chief Beavers referred a Journal reporter to the record of the "Henderson hotel case," and refused to comment further on Hutcheson, who is an attorney associated with the firm of Felder, Anderson, Dillon & Whitman.

As a result of a raid on the Henderson hotel in January and the arrest there of a man and woman, J. F. McFarland, who was represented by Attorney Hutcheson, preferred charges against

five policemen: Sergeant G. C. Fain; Officers S. H. Arrowood, J. F. Weichel, C. E. Williams and J. E. McDaniels.

Attorney Hutcheson attacked the policemen who made the raid in statements at police court, and hearing of the charges against them was set for trial before the police commission. The case was reached and Attorney Hutcheson asked a postponement, saying that his client had been called out of the city.

The case was postponed until the next regular meeting of the police commission, one month later, and then neither Attorney Hutcheson nor his client appeared to press the case.

SECRETARY FEBUARY ACTED UNDER ORDERS

Chief of Detectives Newport A. Lanford has issued the following statement fully explaining the connection of his secretary, G. C. February [sic] with the Felder dictograph incident:

"When it became known that Mr. T. B. Felder was willing to try to bribe one of my men to get information in the Phagan case or anything else that might be in the department, Mr. Colyar first approached me, and told me that he had suggest[ed] February to Colonel Felder.

"I then called February in to my office and the matter was explained to him and he was instructed to go ahead with negotiations. I was fully cognizant of every move, and Mr. February acted with my full authority and approval."

POLICE DO NOT BELIEVE CONLEY GUILTY OF CRIME

The detectives laugh at the theory that James Conley, the negro sweeper, who says that he wrote notes at Superintendent Frank's dictation, is guilty of little Mary Phagan's murder.

In commenting on the matter, Chief of Detectives Lanford said Tuesday afternoon:

"We are not entirely satisfied with the affidavit Conley has made, but we have never considered him in the light of a principal or a voluntary accomplice in the crime."

E. F. Holloway, day watchman at the factory, says that he has always been suspicious of the negro Conley.

It was Mr. Holloway who caught the negro washing what at first were supposed to be blood stains from his shirt. Conley, Mr. Holloway says, often came down to the factory before it was time for him to go to work and he would sit watching the girls employed at the factory as they came in.

These circumstances, Mr. Holloway says, have made him regard the negro with suspicion since the crime.